

No. 9/5/84-6 Lab/9233.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s Kumbha Cooperative Credit and Service Society Ltd., Kumbha :—

BEFORE SHRI B.P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 66 of 1984

between

SHRI PRITHVI SINGH, WORKMAN AND THE MANAGEMENT OF M/S KUMBHA CO-OPERATIVE CREDIT AND SERVICE SOCIETY, LTD., KUMBHA

Present :

Workman in person.

None for the respondent.

#### AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana, referred the following dispute, between the workman Shri Prithvi Singh and the Management of M/s Kumbha Co-operative Credit and Service Society, Ltd., Kumbha, to this Court, for adjudication,—vide Labour Department Gazette Notification No. 16803—8, dated 30th May, 1984 :—

Whether the termination of services of Shri Prithvi Singh is justified and in order ? If not, to what relief is he entitled ?

2. On receipt of the order of reference, notices were issued to the parties. The parties appeared. Later on, no person with a valid letter of authority appeared for the respondent and as such, *ex parte* proceedings order was passed against the respondent by me on 11th September, 1984. Again the respondent appeared and *ex parte* proceedings order was set aside.

3. In the reply filed by the respondent, the claim of the workman has been controverted *in toto*. Since this reference is being answered on grounds other than merits, so I need not detail the pleas propounded in the reply.

4. On the pleadings of the parties, the following issue was settled for decision on 23rd April, 1985 :—

(1) whether the termination of services of Shri Prithvi Singh is justified and in order ? If not, to what relief is he entitled ?

5. Again the respondent absented and so, *ex parte* proceedings order was passed against the respondent by me on 18th June, 1985.

6. In *ex parte* evidence, the workman appeared as his own witness as WW-1 and made a statement completely in corroboration of his claim. I, see no reason to disbelieve the unrebutted sworn deposition made by the petitioner and find that the respondent unlawfully terminated his services and as such, the petitioner is ordered to be reinstated with continuity of service and full back wages. The reference is answered and returned accordingly. There is no order as to cost.

Dated, the 25th September, 1985.

B. P. JINDAL,

Presiding Officer,  
Labour Court, Rohtak.

Endorsement No. 66-84/1648, dated 11th October, 1985.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,

Presiding Officer,  
Labour Court, Rohtak.